



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

JAM/JKW/NMA/KM  
F. #2018R01064

*271 Cadman Plaza East  
Brooklyn, New York 11201*

August 8, 2024

By ECF

The Honorable Rachel P. Kovner  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. David Gentile, et al.  
Criminal Docket No. 21-54 (RPK)

Dear Judge Kovner:

The government respectfully submits this letter in response to the Court's August 1, 2024 request for a proposed briefing schedule regarding the defendants' motions pursuant to Rules 29 and 33 of the Federal Rules of Criminal Procedure. The government proposes that defense motions be filed on September 13, 2024, with the government's response due on October 14, 2024 and any reply briefs to be filed on October 29, 2024.

Counsel for defendant Gentile has advised that, due to a trial scheduled in October 2024, they seek an extended briefing schedule, with reply briefs due in January 2025. Given that the case and related civil litigation has been pending for over three and a half years at a significant cost to GPB Capital's investors, the government opposes such a protracted schedule.<sup>1</sup> Additionally, regardless of when the Court determines initial motions shall be filed, the government requests thirty days for its response and fifteen days thereafter for any reply briefs.

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<sup>1</sup> See SEC v. GPB Capital Holdings LLC et al., No. 21-CV-583 (MKB), ECF Dkt. No. 209, p. 32 (report from Court-appointed monitor outlining legal and other indemnified fees associated with civil and criminal cases).

Thank you for your consideration of this request.

Respectfully submitted,

BREON PEACE  
United States Attorney

By: /s/  
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cc: Defense counsel (by ECF)